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STATEMENT TO BERGER COMMISSION
By Emil Notti
Yellowknife, N.Y.T., May, 1976

Introduction

Commissioner Berger--I appreciate the opportunity and privilege to be permitted to testify at these proceedings. It indicates an openness on the part of the Canadian Government that I believe is to be highly commended.

My name is Emil Notti, I am an American citizen, born and raised in Alaska, and of Athabascan Indian extraction. I was invited by the Council for Yukon Indians to relate experiences in Alaska that are pertinent to pipeline construction, oil development and development in general, and their impacts on Native people, their cultures and lifestyles.

I consider the question of aboriginal land rights to be one of fundamental importance. It is generally accepted that land is acquired by conquest in war, by purchase, or by gift of deed. None of these--I am told--has taken place with respect to Indian and Eskimo lands in Canada. The question then becomes one of legal property rights of citizens of this great country. And while I recognize that government can expropriate the property of its citizens, I am sure that is not the intent of the Government in dealing with Indian and Eskimo peoples of the North.

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General Statement

Whenever I have travelled on the North American continent I have found that aboriginal people generally would prefer to be left alone and not have development near them. The wish to not have their way of life disrupted is most pronounced in the villages. Cities are more able to cope with an influx of new people. New people in a city causes inconveniences such as congested highways and streets and double shifting in schools. It may bring a rise in crime. In the cities the consequence is noticeable, but not overpowering. In the villages, on the other hand an influx of people is a shattering experience. It doesn't simply modify a lifestyle; it disrupts totally the economy and the social fabric of the small community.

Land Transfer

If a pipeline is approved for construction or if a right of way easement is reserved before Native land claims are resolved, I believe it would be damaging to Indian efforts at achieving a fair settlement.

Our strategy in Alaska was to stop transfers of land among federal agencies, stop all transfers of land from the federal government to any third party including the State, and stop all development, until our land claims were resolved. We felt that Native land rights was a problem not just for Indian people, but for everyone; and everyone was to be prevented from land transactions until Congress resolved the issue. No one was given a favored status or exempted from having land claims

affect his daily life and business. Only when everyone is affected is there enough interest and pressure to move government to action. If certain business interests are given an exemption, that relieves the pressure point; if the Territorial Government is permitted to proceed with business as usual, it feels no pressure or urgency to resolve the issue; if individuals are permitted to get mining permits or timber permits or homesites, then they are not affected. It becomes the other fellow's problem. The other fellow in this case is a minority in Territorial and Federal affairs. If only a minority is seeking a resolution, then I predict there will be an Indian land problem around for a long time. The people who will lose the most and have reason to be bitter for many years to come, as development comes to their area, will be your Indian people. In the interest of justice and fairness and a speedy resolution, land transactions should be held in abeyance until the land claims question is resolved.

Economic Impact of the Alaska Pipeline

The construction of the Alaska Pipeline is a dominant factor affecting the economy and labor force in Alaska.

The Alaska Legislature was concerned with high unemployment in Alaska and in 1972 the lawmakers concluded that the State "has an obligation to assure that the benefits of this employment accrue to the residents of Alaska." In order to provide maximum employment opportunities for Alaska residents, the Commissioner of Natural Resources is empowered, by Alaska Statute 38, Chapter

40 (Public Lands: Local Hire Under State Leases), to incorporate into all oil and gas leases, easements and right-of-way permits for oil and gas pipeline projects, and joint ventures, negotiated after July 7, 1972, provisions requiring the hiring of qualified Alaska residents.

During the second quarter of 1975 these were 24,492 workers employed on the pipeline. During the peak in 1976 an estimated 21,000 persons will be employed in pipeline-related activities.

Construction; Transportation, Communications and Utilities; Trade; Finance, Insurance and Real Estate; and Services industries are all up and can be attributed to pipline activities for their rapid expansion.

Social Impact of Pipeline and Related Development

Anchorage, the largest city in Alaska, was, at the same time the most and the least impacted by oil development. Anchorage experienced the largest increase in population and the most development in the support services for the pipeline. A number of major oil companies built large office buildings to house their engineering, accounting, and management staffs. In 1975 the city of Anchorage had 30,000 additional automobiles on their streets.

While Anchorage had the greatest increase in numbers, it was able to absorb the growth. The lives of most persons were not greatly affected. Streets had more traffic on them, stores were more crowded, restaurants were filled, supermarkets had

longer checkout lines, crime statistics were up, but life was still life in the city.

The impact on smaller communities was much more pronounced. The terminal for the pipeline, Valdez, boomed from 1,200 people to around 6,800. Housing was impossible to find except at exhorbitant rates. Sewer, water and electical capabilities were severely overloaded or not available. Schools were overcrowded and hard to staff.

Because residency for voting purposes is only 30 days in Alaska, old residents soon saw themselves in competition with recent arrivals for the school board and city council seats. The result was that the whole value system of the community--what made life worthwhile--was transformed.

Game Resources - One Aspect of Change

The village resident feels the greatest impact of development and, generally, it is he who is the least able to cope with rapid change. He is the least educated and skilled and, therefore, has an insurmountable obstacle to employment without special provision for his employment and special training programs. The village way of life also is severely impacted because the villager does not have the cash to compete with the well equipped, nonresident hunter who has the cash to buy the best rifles, all-terrain vehicles, and to charter airplanes to reach game that once provided subsistence to the village resident. The end result is that the villager can no longer make a living from a depleted game population; and if he is not hired for cash, he

will become instead of a useful productive citizen, one dependent upon welfare, unable to cope with the rapid change and helpless because he has no economic power and no political power. As a result he has rapidly become an insignificant minority in a sea of change.

Anxiety for Future Impact

Now that the decision has been made to proceed with outer continental shelf oil development, a number of communities are on the verge of explosive development. Yakutat is a community of 300 people on the eastern Gulf of Alaska. It is estimated that in a three-year period, if it is selected as a support base for offshore development, Yakutat will grow to 8,000 people. Efforts are being made to shape the growth through zoning, and to phase the growth by planning, but nevertheless there will be tremendous trauma for this community of mainly Indian people as they see a whole new culture and value system supplant theirs and they become a small minority in their traditional homes. Their opportunities in berrypicking areas, clam beaches, fishing and hunting areas will be severely curtailed as industrial activity picks up and the limited resource is harvested much more intensively.

While some communities are resisting development, some few are seeking it. Even those that are bidding to be designated have not identified sources of funding to pay for the new sewer and water systems and electrical generating capacity and new schools or teachers, policemen and firemen that will be needed to serve the needs of the new residents.

The Governor of Alaska has released State estimates of 95,000 new people involved in offshore exploration and development. The Governor had filed suit against the United States Interior Department to delay the lease sale. The State needs federal assistance to deal with the influx of new people.

The Alaska Native Claims Structure

The Alaska Native Claims Settlement Act could be viewed as an enormous effort to transform Native peoples from hunters and gatherers into entrepreneurs and capitalists in as short time as possible.

Alaska Natives were able to negotiate fee title to 40 million acres of land. This is a sharp departure from the reservation system established in other states and in other settlements. The implications of such a departure are clear: Eskimos, Indians and Aleuts must generate income from their lands to maintain such large holdings in private ownership and prevent their loss since there is no reservation status to protect them.

The capitalization of 12 regional corporations and more than 200 village corporations with 962.5 million dollars is giving Alaska Natives the means to enter the business world. But at the same time, it is requring that they generate income in order to stay in business and retain their corporate assets.

462.5 million dollars is a direct appropriation from the Federal government. 500 million dollars is to come from a 2% royalty payment from minerals taken from the land. A great effort was made to obtain 2% royalty in perpetuity. We felt

that if the land produced nothing, we would share nothing. If there was mineral wealth in the land, the 2% would guarantee our participation. We were unable to convince Congress of its merits and got a limited royalty. Our concern was that Indian people by and large do not participate or benefit when industry moves into their area.

Recommendations

Since it is impossible to prevent development, then efforts should be made to time development and give it shape as we step into the future.

When the gas pipeline is built, stipulations should be required in the construction permit that will soften or shape the impact.

To prevent the Indian from becoming a bystander as the north develops--to prevent the Indian from becoming a disenfranchised minority--to prevent the Indian from becoming a welfare case in his own country as wealth grows all about him, the following recommendations are put forth.

The project will be of such a magnitude in dollars and manpower requirements that every able bodied Indian who wants to work should be guaranteed a job. Adequate training and on-the-job counseling should be provided to prepare him to sell his skills. For those Indian individuals who are inclined to be entrepreneurs, there should be guaranteed opportunities to provide goods and services under contract to the pipeline builder.

For those Indian individuals or groups that don't want to make the immediate transition to a wage economy, there should be severe restrictions on where wage earners or outsiders can hunt so as not to upset or diminish the opportunity of those individuals to support themselves and their families from the fish and game of their area.

As a sovereign nation, Canada can require that stipulations be put into the construction permits that contractors, pipeline owners, and unions would agree to if they are going to participate in the project.

BRIEF RESUME

Emil Reynold Notti
446 E. 23rd Street
Anchorage, Alaska 99503
Phone (907) 274-2382

SSN: 574-09-7573
Marital Status: Married
Children: 4
Birthdate: March 11, 1933

Education

BSEE, Northrop Institute of Technology
Inglewood, California 1961

Military Service

U.S. Navy 1952-1956, Honorable Discharge

Honors

Honorary Doctor of Humane Letters Degree from Alaska Methodist University, 1969
Nominee - Alaskan of the Year, 1969
President Emeritus, Alaska Federation of Natives

Activities

Chairman, Native Housing Committee, 1966
Anchorage Centennial Commission, 1967
Board of Directors, Jesse Lee Home
Board of Directors, Campfire Girls
Anchorage Borough School Board, 1968
White House Conference on Nutrition, 1969
Co-Chairman Jobs Conference with Senator Gravel
Chairman, Rural Affairs Commission, 1971
President, Cook Inlet Native Association, 1965-67
President, Alaska Federation of Natives, 1967-70
President, Alaska Native Foundation, 1968-72
Governor's Equal Employment Opportunity Commission, 1972

General Statement

I have extensive experience in dealing with groups of people with diverse interests. My most difficult achievement was organizing the Alaska Federation of Natives and holding that organization together during the early years of the land claims effort. I had major responsibility for welding the organization and leading the lobbying efforts before Congress.

Responsibilities also included fund raising from numerous sources including Foundations. Other efforts included getting projects funded for job-training, health, education and housing.

Employment

September 1972 to Present: President, Alaska Native Foundation, Anchorage.

Chief Administrator for Foundation. Prepare budgets, coordinate publication of newsletter, seek contracts from State and Federal agencies, coordinate seminars and training activities, chair Board meetings.

June 1971 to September 1972: Deputy Commissioner, Department of Health & Social Services, State of Alaska

Full responsibilities for Department in absence of Commissioner. Decisions made affected major programs and committed State for large sums of money. Department has approximately 1400 employees. Worked with Divisions in Department to prepare budget. This Department impacts on many lives and many fields. The Divisions in the Department are Public Health, Mental Health, Administration, Corrections, and Family and Childrens Services. Other programs attached to the Commissioner's office are Office of Alcoholism and Office of Aging. I dealt with groups of employees having grievances concerning Department policy. I was sent by the Governor to institutions when communities had complaints about State policy. I represented the Department at meetings of the Anchorage Medical Association. Along with the Commissioner I attended meetings of Comprehensive Health Planning and other citizens and interest groups.

April 1970 to May 1971: Self-employed. Electronic Systems, Sitka, Alaska.

Sales and service of electronic equipment for boats, cars and homes.

June 1967 to March 1970: President, Alaska Federation of Natives, Anchorage.

Native land claims lobbying. Organizing regional Native organizations. Developing funding proposals for on-the-job training, Ford Foundation grants, OVO health right grants, BIA service contracts, consulting fees with University of Alaska. Hiring, training and supervising staff for funding proposals.

April 1967 to June 1967: Field Coordinator, Alaska State Community Action, Anchorage.

Program development and supervising Grass Roots team organizors.

March 1966 to April 1967: Field Representative, Human Rights Commission, State of Alaska, Anchorage.

Investigate complaints concerning discrimination in employment and housing.

April 1965 to March 1966: Electronic Engineer, Bureau of Land Management, Anchorage.

Install and maintain radio equipment in shop, and field repairs. Maintain equipment records. Order repair parts and schedule maintenance on equipment.

October 1964 to April 1965: Electronic Design Engineer, FAA, Anchorage.

Installation designs for complex navigation and communications equipment. Scheduled installation time frames.

Hobbies

Reading, Swimming, Boating.